

REMARKS

Status of Claims

Claims 1-19 are pending, of which claims 1-4 are independent.

Claims 1-11 and 13-15 have been amended to correct informalities in the claim language and to more clearly define the claimed subject matter. Claim 6 has been amended so as not to depend upon claim 4. New claims 16-19 have been added. It is noted that claims 5, 9, 16 and 17-19, which depend upon claim 4, correspond to original claims 6, 7, 8 and 13-15, respectively. Support for the amendments and the new claims is found, for example, FIGS. 1, 7-9 and 11-13 and the corresponding portions of the specification and the original claims. No new matter has been entered.

Rejection under 35 U.S.C. § 102

Claims 1-14 were rejected under 35 U.S.C. § 102(b) as being anticipated by van Woesik (US 5,408,551). Applicants traverse this rejection for at least the following reasons.

Regarding independent claim 1 and 2, the Examiner asserts that van Woesik discloses a fixing member, referring to reference numeral 35 (which should be 18) of FIGS. 7-8. Applicants respectfully submit that a fixing member of claims 1 and 2 is configured for fixing and bundling at least two portions of **the optical fiber at a crossing zone** of the annular portion. In FIGS. 7 and 8 of van Woesik, the reference numeral 35 (or 18) does not fix and bundle the two portions of the **same** optical fiber. Also, there is no crossing zone in FIGS. 7 and 8 where the two portions of the optical fiber are fixed and bundled. Van Woesik discloses a bundle of optical fibers F (see, col. 5, lines 53 of van Woesik), but fails to disclose a fixing member for fixing and bundling at least two portions of the (same) optical fiber at a crossing zone of the partial annular

portion, as recited by claims 1 and 2. Further, it is submitted that van Woesik fails to disclose that the fixing member provided at the crossing zone is configured to adjust a radius of the annular shape. As such, it is clear that, at a minimum, van Woesik fails to disclose the above discussed limitations of claims 1 and 2.

Regarding independent claim 3, this claim has been amended so as to recite a plurality of partial annular portions formed continuously or intermittently by partially bending intermediate regions of the optical fiber in an arc shape, the plurality of partial annular portions are fixed on a member. Van Woesik fails to disclose a plurality of partial annular portions being fixed on a member. As such, it is clear that, at a minimum, van Woesik fails to disclose the above discussed limitations of claim 3.

Regarding independent claim 4, this claim has been amended so as to recite an intermediate region of the optical fiber is formed in a spiral shape around a bar. In this regard, the Examiner's attention is directed to FIG. 9 of the present application and FIGS. 7-8 of van Woesik. In van Woesik, the bundle of optical fibers does not have a spiral shape. A such, it is clear that, at a minimum, van Woesik fails to disclose the above discussed limitations of claim 4.

To anticipate, every element and limitation of the claimed subject matter must be found in a single prior art reference, arranged as in the claims. *Brown v. 3M*, 265 F.3d. 1349, 60 USPQ2d 1375 (Fed. Cir. 2001). At a minimum, the cited prior art does not disclose expressly or inherently the above discussed limitations of claims 1-4. Thus, Applicants respectfully request that the Examiner withdraw the rejection of claims 1-4. Since claims 5-15 depend upon one of claims 1-4, these claims are also allowable for at least the same reasons as claims 1-4.

Rejection under 35 U.S.C. § 103(a)

Claims 1-13 and 15 were rejected under 35 U.S.C. § 103(a) as being unpatentable over van Woesik in view of van den Bergh et al. (USP 5,068,515), but it appears that the Examiner rejected only claim 15 under 35 U.S.C. § 103(a). Applicants respectfully traverse this rejection for at least the following reasons.

As set forth above, van Woesik fails to disclose the above discussed limitations of independent claims 1-4. Applicants further submit that van der Bergh fails to cure the deficiencies of Woesik because van der Bergh fails to disclose a fixing member, a plurality of partial annular portions being fixed on a member and a spiral shape around a bar, as recited by claims 1-4. As such, it is clear that the combination of van Woesik with van der Bergh does not render these claims 1-4 and dependent claims 6-15 thereupon obvious. Accordingly, Applicants respectfully requests that the Examiner withdraw the rejection of claims 1-13 and 15 under 35 U.S.C. § 103(a).

Further, neither van Woesik nor van der Bergh discloses a case as recited by claim 15. Accordingly, Applicants respectfully requests that the Examiner withdraw the rejection of claim 15 for this reason in addition to the reasons set forth above.

New Claims

Since new claims 16-19 depend upon claim 4, these claims are patentable over the cited references for at least the same reasons as set forth above.

CONCLUSION

Having fully responded to all matters raised in the Office Action, Applicants submit that all claims are in condition for allowance, an indication for which is respectfully solicited. If there are any outstanding issues that might be resolved by an interview or an Examiner's amendment, the Examiner is requested to call Applicants' attorney at the telephone number shown below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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